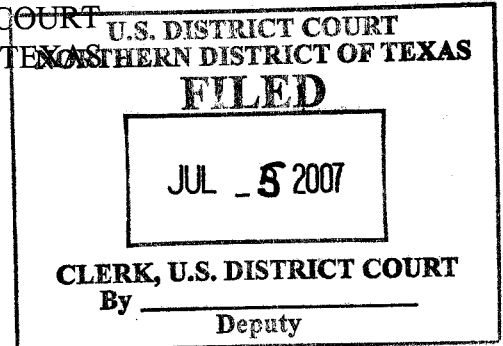


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



DAVID LEE OLIVER,

Petitioner,

v.

NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,

Respondent.

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2:07-CV-0113

**ORDER ADOPTING REPORT AND RECOMMENDATION,**  
**OVERRULING OBJECTIONS,**  
**DENYING APPLICATION TO PROCEED *IN FORMA PAUPERIS*,**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Came this day for consideration the petition for a federal writ of habeas corpus filed by petitioner DAVID LEE OLIVER, wherein petitioner challenges the result of a prison disciplinary proceeding. Said habeas petition was filed without prepayment of the required \$5.00 filing fee. Instead, petitioner submitted, with his petition for habeas relief An Application to Proceed *In Forma Pauperis* along with a certified *in forma pauperis* data sheet from the penal institution in which he is incarcerated.

On June 13, 2007, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's application to proceed *In Forma Pauperis* be denied, and that the petition for a writ of habeas corpus filed by petitioner be dismissed for failure to pay the \$5.00 filing fee. On June 25, 2007, petitioner OLIVER filed objections to the Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case. The Magistrate Judge's June 13, 2007 Report and Recommendation is hereby ADOPTED, and petitioner's objections are hereby DENIED. Accordingly, petitioner's Application to Proceed *In Forma Pauperis* is DENIED, and the petition for a writ of habeas corpus filed by petitioner DAVID LEE OLIVER is DISMISSED.

IT IS SO ORDERED.

ENTERED this 5<sup>th</sup> day of July 2007.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE